

AO 247 (02/08) Order Regarding Motion for Sentence Reduction

UNITED STATES DISTRICT COURT

for the

District of Puerto Rico

United States of America)

v.)

Ralph ROSARIO-DIAZ)Case No: 00-153(1)(SEC)

USM No: _____

Date of Previous Judgment: September 5, 2002
(Use Date of Last Amended Judgment if Applicable)Melanie Carrillo Jiménez, AFPP
Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 262 months months is reduced to 210 months.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: _____

Amended Offense Level: _____

Criminal History Category: _____

Criminal History Category: _____

Previous Guideline Range: _____ to _____ months

Amended Guideline Range: _____ to _____ months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ Other (explain): _____

III. ADDITIONAL COMMENTS

In no event may the reduced term of imprisonment be less than the term of imprisonment the defendant has already served.

Except as provided above, all provisions of the judgment dated Sept 5, 2002 shall remain in effect.

IT IS SO ORDERED.

Order Date: 5/12/09

[Signature]
Judge's signature

Effective Date: 5/13/09
(if different from order date)

HON. SALVADOR E. CASELLAS
Senior U.S. District Judge
Suite 342 U.S. Courthouse
300 Recinto Sur
San Juan, PR 00901